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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,068	10/11/2001	Tim M. Hoberock	10010811-1	1566

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

TRAN, ELLEN C

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/976,068

Applicant(s)

HOBEROCK ET AL.

Examiner

Ellen C. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date January 2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***DETAILED ACTION***

1. This action is responsive to communication: original application filed 11 October 2001.
2. Claims 1-20 are currently pending in this application. Claims 1, 9, and 17 are independent claims.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language

4. Claims 1-3, 5-11, 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Gulick et al. U.S. Patent No. 6,823,451 (hereinafter '451).

As to independent claim 9, "A method for controlling use of a piece of office equipment or a particular resource available through that piece of equipment, said method comprising: enabling operation of said piece of office equipment or a resource available through that office equipment to an authorized user upon presentation of an identifier of said authorized user to a lock control device connected to said piece of office equipment" is taught in '451 col. 8, lines 13-56.

As to dependent claim 10, "wherein said piece of office equipment is a computer or computer terminal" is shown in '451 col. 8, lines 13-56.

As to dependent claim 13, "further comprising connecting lock control device to said computer or computer terminal via a daisy chain connector that also connects one or

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more user input devices to said computer or computer terminal” is disclosed in ‘451 col. 8, lines 46-56.

As to dependent claim 14, “further comprising accessing a particular application residing on said computer or accessible through said computer terminal by presenting an identifier of said authorized user to a lock control device” is taught in ‘451 col. 7, lines 31-46.

As to dependent claim 15, “further comprising accessing a network server on a computer network to which said computer is connected by presenting an identifier of said authorized user to a lock control device” is shown in ‘451 col. 47, line 59 through col. 48, line 3.

As to dependent claim 16, “further comprising: timing periods during which said computer or computer terminal receives no user input; locking up or logging out said computer upon elapse of a pre-determined period during which no user input is received; and unlocking or logging in said computer upon operation of said lock control device” is disclosed in ‘451 col. 9, lines 4-43.

As to independent claim 1, this claim is directed to the system of the method of claim 9, therefore it is rejected along similar rationale.

As to dependent claims 2, and 5-8, these claims contain substantially similar subject matter as claims 10, and 13-16; therefore they are rejected along similar rationale.

As to independent claim 17, “A system for controlling use of a piece of office equipment or a particular resource available through that piece of equipment, said system comprising: means for testing a physical or biological identifier of an authorized user, said means for testing being electrically connected to said piece of office equipment; and means

**for enabling operation of said piece of office equipment or a resource available through that office equipment to an authorized user upon successful presentation of said identifier to said means for testing”** is taught in ‘451 col. 8, lines 13-56.

As to dependent claim 18, this claim contains substantially similar subject matter as dependent claim 10; therefore it is rejected along the same rationale.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 3, 4, 11, 12, 19, and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over ‘273 in further view of Blank U.S. Patent No. 6,089,611 (hereinafter ‘611).

As to dependent claim 11, the following is not taught in ‘451 **“further comprising using a proximity card sensor as said lock control device”** however ‘611 teaches “An exemplary, non-limiting list of non-visibly identifiable indicia suitable for use in

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accordance with this embodiment of the invention includes magnetic strips, "biometric" identifying indicia such as fingerprint codes, photo retina IDs, surface-combined or embedded computer chips (such as those that emit electromagnetic radiation such as radio-frequency radiation that can be read by a nearby card reader), UV-light readable coding, proximity indicia of the contact and contactless type (i.e., cards including magnetic or electronic characteristics, which when brought into contact or nearly into contact with a reader can be read; so-called smart cards or proximity cards), holographic indicia such as three-dimensional holograms, and other types of non-visibly identifiable, encrypted indicia" in col. 9, lines 8-23.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of '451 a device for security and manageability to include a means to utilize a proximity sensor. One in the art would have been motivated to perform such a modification to eliminate the need for multiple and lengthy identification systems (see '611 col. 3 lines 48 et seq.) "Accordingly, the present invention is directed to solving the problem of the lengthy and multiple step process associated with registration of holders of cards provided by the prior art systems by providing a method and apparatus for instantly registering a holder of such cards".

**As to dependent claim 12**, "further comprising using a magnetic card reader as said lock control device" is shown in col. 9, lines 8-23.

As to dependent claims 3, 4, 19, and 20, these claims contain substantially similar subject matter as claims 11 and 12; therefore they are rejected along similar rationale.

*Conclusion*

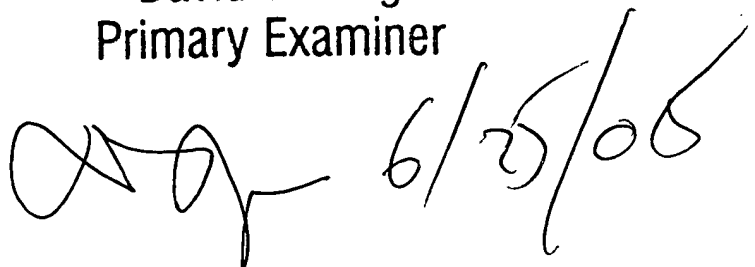
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ellen Tran  
Patent Examiner  
Technology Center 2134  
21 June 2005

David Y. Jung  
Primary Examiner

Handwritten signature of David Y. Jung and the date 6/25/06.